

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Kimberly A. Gillis *et al.*

Application No.: 09/997,424 -- 6432

Filed: November 28, 2001

For: Expression Analysis of SMARC Nucleic Acids  
And Polypeptides Useful In The Diagnosis And  
Treatment of Prostate Cancer

Attorney Docket No.: 102729-16

Group Art Unit: 1642

Examiner: Minh Tam Davis

**STATEMENTS UNDER 37 C.F.R § 1.821 and 37 C.F.R § 1.825**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

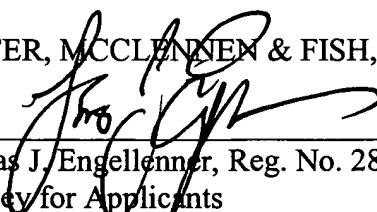
I hereby state that the content of the computer readable Sequence Listing accompanying this Statement is the same as the content of the Sequence Listing submitted in accordance with 37 C.F.R §1.821(c) and (e), respectively.

Additionally, I hereby state that the content of the amendatory material contained in the Sequence Listing, specifically SEQ ID NOS: 4 and 5, accompanying this Statement is the same material which was incorporated by reference in the originally filed application in accordance with 37 C.F.R. § 1.825. Accordingly, the Amendment to the Sequence Listing contains no new matter.

Dated: April 29, 2004

Respectfully submitted,

NUTTER, MCCLENNEN & FISH, LLP

  
Thomas J. Engellenner, Reg. No. 28,711  
Attorney for Applicants  
World Trade Center West  
155 Seaport Boulevard  
Boston, MA 02210-2604  
Tel: (617) 439-2948  
Fax (617) 310-9948